

In re: Application of: HARTMANN et al.
Application No.: 09/990,718
Examiner: Nguyen, B. T. L.

Listing of Claims:

This listing of claims will replace all prior versions and listings of claims in the instant application:

Claim 1. (Currently Amended) An [[lateral flow]] immunoassay device for identifying the presence of tissue from a particular species of billfish in a test sample, [[the device]] comprising:

a single zone lateral flow device including:

a substrate having a first end, and a second end, said first end having thereon [onto which] a billfish specific antigen-containing sample that has been immobilized; and,

said second end having structure for receiving a solution including a billfish specific antibody that flows laterally from said second end to said first end of said device and specifically binds to said billfish-specific antigen.

Claim 2. (Currently Amended) The [[immunoassay]] device of claim 1, wherein the substrate comprises a nitrocellulose membrane.

Claim 3. (Currently Amended) The [[immunoassay]] device of claim 2, wherein the substrate comprises a plastic-backed nitrocellulose membrane.

Claim 4. (Cancelled)

Claim 5. (Currently Amended) The [[immunoassay]] device of claim [[4]] 1, wherein the solution further comprises at least a portion of the test sample.

Claim 6. (Currently Amended) The [[immunoassay]] device of claim 1, wherein the billfish-specific antigen is a billfish serum albumin.

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Claim 7. (Currently Amended) The [[immunoassay]] device of claim 6,
wherein the billfish serum albumin comprises sailfish serum albumin.

Claim 8. (Cancelled).

Claim 9. (Cancelled).

Claim 10. (Currently Amended) The [[immunoassay]] device of claim [[4]]
1, wherein the solution is applied on the substrate.

Claim 11. (Cancelled)

Claim 12. (Currently Amended) The [[immunoassay]] device of claim 10,
wherein the antibody is detectably labeled.

Claim 13. (Currently Amended) The [[immunoassay]] device of claim 12,
wherein the detectably labeled antibody is conjugated to a gold particle.

Claim 14. (Currently Amended) The [[immunoassay]] device of claim 12,
wherein the gold particle has a diameter of between 20-40 nm.

Claim 15. (Currently Amended) The [[immunoassay]] device of claim 1,
[[wherein]] further comprising a non-billfish specific antigen [[has been]] immobilized
on the substrate.

Claim 16. (Currently amended) A kit for identifying the presence of tissue
from a particular species of billfish in a test sample, the kit comprising:
a single zone lateral flow immunoassay device comprising a substrate onto which
a billfish- specific antigen-containing sample has been immobilized; and

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a solution comprising an antibody that specifically binds the billfish-specific antigen; wherein
administration of the solution flows laterally from a point of contact between the solution and substrate.

Claim 17. (Original) The kit of claim 16, wherein the billfish specific antigen is a billfish serum albumin.

Claim 18. (Original) The kit of claim 17, wherein the billfish serum albumin is selected from the group consisting of sailfish serum albumin; blue marlin serum albumin; and white marlin serum albumin.

Claim 19. (Original) The kit of claim 16, wherein the antibody is detectably labeled.

Claim 20. (Original) The kit of claim 19, wherein the detectably labeled antibody is conjugated to a gold particle.

Claim 21. (Original) The kit of claim 20, wherein the gold particle has a diameter of between 20-40 nm.

Claim 22. (Original) The kit of claim 16, wherein a non-billfish specific antigen has been immobilized on the substrate.

Claims 23-34. (Cancelled).